WISCONSIN STATE **LEGISLATURE** COMMITTEE HEARING RECORDS

1999-00

Assembly

Committee on Campaigns & Elections (AC-CE)

File Naming Example:

Record of Comm. Proceedings ... RCP ➤ 05hr_AC-Ed_RCP_pt01a

- 05hr_AC-Ed_RCP_pt01b 05hr_AC-Ed_RCP_pt02

Published Documents

- > Committee Hearings ... CH (Public Hearing Announcements)
- Committee Reports ... CR
- Executive Sessions ... ES
- Record of Comm. Proceedings ... RCP

Information Collected For Or Against Proposal

- Appointments ... Appt
- Clearinghouse Rules ... CRule
- > Hearing Records ... HR (bills and resolutions)
- > 99hr_ab0701_AC-CE_pt01
- <u>Miscellaneous</u> ... Misc

Assembly Committee on Campaigns and Elections

Date:	Seconder Clearing Appointr	house Rule:	Wall	
A: SR: A/S Amdt: A/S Amdt: A/S Sub Amdt: A/S Amdt: A/S Amdt: A/S Amdt:	to A/S Amdt: to A/S Sub Amdt: to A/S Amdt:			ndt:
Be recommended for: Passage Introduction Adoption Rejection	Tab	efinite Postponoling ncurrence nconcurrence nfirmation		
Committee Member Rep. Stephen Freese, Chair Rep. Scott Suder Rep. Scott Walker Rep. Phil Montgomery Rep. Bonnie Ladwig Rep. David Travis Rep. David Cullen Rep. Mark Miller Rep. Gary Sherman	Totals: Aye		Absent	Not Voting

Assembly Committee on Campaigns and Elections

Date: 1-21-00	Executive Se	ession Publi	c Hearing
Bill Number: 701 A	0	- land 1	Jair D
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Motion: to introduce	L KKB 4	1307	
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			,
Committee Member	<u>Aye</u>	<u>No</u>	<u>Absent</u>
Rep. Stephen Freese, Chair			Entertain Contraction
Rep. Scott Suder			
Rep. Scott Walker			
Rep. Phil Montgomery			
Rep. Bonnie Ladwig			
Rep. David Travis			
Rep. David Cullen			
Rep. Mark Miller		and the state of t	
Rep. Gary Sherman			- Control of the Cont
Totals:			

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/\ Motion Co	arried 11	Motion Falled	

Assembly Committee on Campaigns and Elections

Date:	der	Seconded by: Clearinghouse Rule: Appointment: Other:	Kadwi	
A/S Amdt:	to A/S Amdt: to A/S Sub Amc to A/S Amdt:	it:		ndt:
Be recommended for: Passage Introduction Adoption Rejection		Indefinite Postpor Tabling Concurrence Nonconcurrence Confirmation		
Committee Member Rep. Stephen Freese, Chair Rep. Scott Suder Rep. Scott Walker Rep. Phil Montgomery Rep. Bonnie Ladwig Rep. David Travis Rep. David Cullen Rep. Mark Miller Rep. Gary Sherman	Totals:	29 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0	Absent	Not Voting
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Assembly Committee on Campaigns and Elections

Date: Moved by: AB: AB: SB: AJR: SJR: A: SR:	Cle	onded by: aringhouse Rule: pointment: er:	Shern	
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Committee Member Rep. Stephen Freese, Chair Rep. Scott Suder Rep. Scott Walker Rep. Phil Montgomery Rep. Bonnie Ladwig Rep. David Travis Rep. David Cullen Rep. Mark Miller Rep. Gary Sherman	Ay C C C C C C C C		Absent	Not Voting
	Totals:		· ·	

Motion Carried Motion Failed

WISCONSIN ASSEMBLY ROLL CALL 1999-2000 SESSION SPEAKER JENSEN

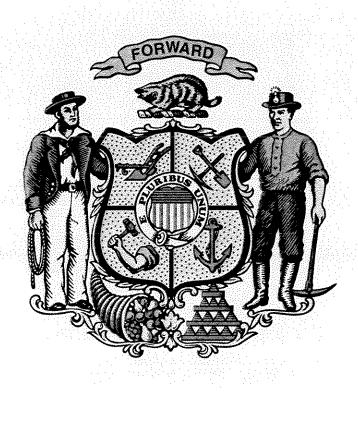
AB 701 BY COMMITTEE VARIOUS ELECTION LAW CHANGES PASSAGE

AYES - 52 NAYS - 45 NOT VOTING - 2 PAIRED - 0

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IN CHAIR: DUFF

NO VACANT DISTRICTS



Griffiths, Terri

From: Conlin, Robert

Sent: Thursday, February 03, 2000 3:18 PM

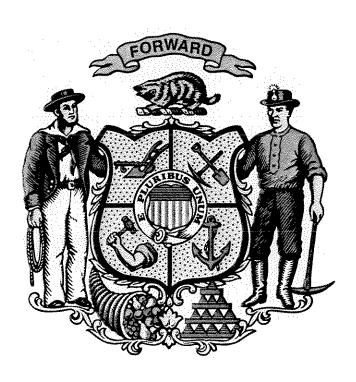
To: Griffiths, Terri Cc: Haas, Shaun

Subject: Amendment to AB 701

Rep. Freese called me earlier today from the floor and asked that I put in requests for several amendments on AB 701. I've done that and they will probably be ready by Monday. One amendment he requested, however, will not be drafted. He asked that each provision of the bill be severable. That is what current law already provides. The LRB only drafts "nonseverablility" provisions. Thus, generally, if a court finds one provision of the bill to be unconstitutional, the rest would stand. (See s. 990.001 (11), Stats.)

Can you pass this on to Rep. Freese? Thanks.

Bob Conlin Legislative Council Staff



Richard, Rob

From: Sent: Walker, Scott

Sent: To: Tuesday, February 08, 2000 1:47 PM *Legislative Assembly Republicans

Subject:

AB 701 amendment

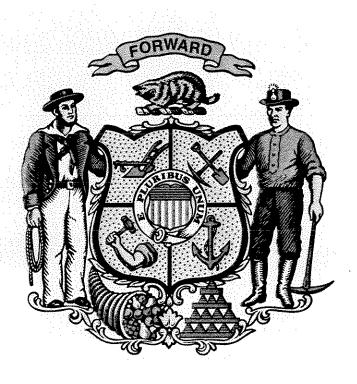
Importance:

High

I have an amendment to AB 701 that makes the check off a "true check off." Specifically, it says that any individual filing an income tax return may designate on the return an additional payment in the amount of \$1 or a deduction from any refund due that individual in the amount of \$1 for the Wisconsin election campaign fund for the use of eligible candidates under s. 11.50.

This is the way that the law was passed in 1977 - but line-item vetoed by Governor Marty Schreiber.

Please let me know if you would like to be listed as a co-sponsor by 10:00 am on Wednesday, February 8, 2000. Thanks.





Wisconsin Right to Life, Inc.

State Affiliate of the National Right to Life Committee, Inc. Washington, DC 20004-2293

WRL Board of Directors
Susanna D. Herro, President
Madison
Aian Kramer, Vice President

Grafton John I. Glinski: Treasurer

Middleton

Thomas Carroll, Secretary

**Brookfield

M. Susan Celentary

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Wiscoman Right to Life; Inc. 10615 West North Sound. Stine LL. Mithousey, W. (20126-223)

With the wanter

February 8, 2000

TO: Assembly Representatives

FROM: Susan Armacost, Legislative Director

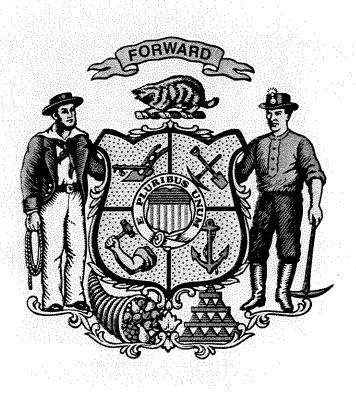
RE: Assembly Bill 701

Wisconsin Right to Life strongly opposes AB 701 as currently worded.

- 1. Assembly Bill 701 would prohibit PACs from contributing more than \$100 in a calendar year to another PAC. This provision is unconstitutional because it infringes on the constitutional right of freedom of association. The State does not have the authority to restrict, in any way, the right of political organizations to work together to engage in political speech.
- 2. Assembly Bill 710 would deny public financing to candidates who receive more than 50% of their contributions from outside the county in which their district lies and prohibits out of state contributions to those candidates. The 9th Circuit Court of Appeals recently struck down an Oregon law that required residency requirements for individuals wishing to contribute to candidates. The State does not have the authority to prohibit citizens from contributing to the candidates of their choice, even if those citizens reside in a different state or different county.
- 3. Assembly Bill 701 raises the amount publicly-funded candidates may receive from the State. Currently, the monies to fund those candidates are derived from the "check-off" system. AB 701 is silent regarding where those additional funds would come from. Wisconsin Right to Life strongly opposes the use of additional tax dollars being used to fund candidates. This puts tens of thousands of individuals in the situation where they are forced to fund the elections of candidates with whom they may strongly disagree and do not want elected.

Wisconsin Right to Life opposes AB 701 unless these provisions are removed.

Thank you.



Richard, Rob

From:

Miller, Mark

Sent:

Wednesday, February 09, 2000 8:22 AM

To:

Rep.Freese

Subject:

AB701 amendments

Steve:

I requested three amendments to AB 701. Only one is back from LRB. a1316/2 prohibits elected officials, except Supreme Court, from soliciting or receiving funds during the budget session. This applies to personal campaign committees and to LCCs.



a1316-2 to AB701, no during bu...

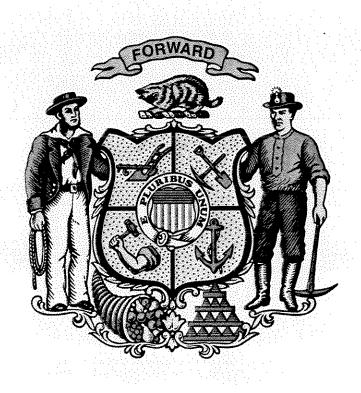
The other two amendments would:

- A. In addition to current law which requires out of state organizations conducting political activity in Wisconsin to register in Wisconsin would also require that they could only use funds collected after registering. This is current law with an exeception that makes it unenforceable. AB701 tightens up the exception. My amendment returns to the original law before the exception.
- B. Implement a simplified version of the MN \$5.00 checkoff. Rep. Sherman requested the same. We will cooperate and only submit one of these.

I do not know how my caucus will receive the two regulatory amendments. If I don't have nearly unanimous support, I will withdraw them. I'd also appreciate knowing if you will try to obtain support in your caucus for either of these amendments. If you are unwilling to try to obtain support for these, let me know.

Mark

Mark Miller 48th Assembly District Capitol, Room 3 North P.O. Box 8953 Madison, WI 53708 (608)266-5342, FAX (608)282-3648 Rep.Miller@legis.state.wi.us



WISCONSIN EDUCATION ASSOCIATION COUNCIL

Affiliated with the National Education Association

* MEMORANDUM *

This distribution has been
/ authorized by—

TO:

Members of the Wisconsin State Assembly

FROM:

John Stocks, Director of Government Relations

Wisconsin Education Association Council

RE:

Support AB 700 and AB 701 WITHOUT AMENDMENTS

DATE:

February 9, 2000

The Wisconsin Education Association Council (WEAC) encourages you to:

Support Assembly Bill 700 Without Amendments: This bill includes recommendations from the Legislative Council's Special Committee to Review the Elections Process and from the Wisconsin Elections Board. The bill is designed to make the elections process more efficient for state and local election officials and to make the use of technology accessible to election administrators.

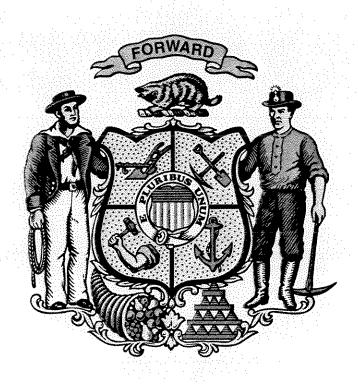
Enactment of AB 700 will ensure that future elections in Wisconsin run more smoothly than those in the past and that election results are provided to the public in a timely manner.

Support Assembly Bill 701 Without Amendments: WEAC commends the members of the Assembly Campaigns and Elections Committee for working together on a bipartisan basis to develop this legislation. We also commend the Assembly Rules Committee for quickly scheduling the bill for floor debate. This will be the first time in many years that a house of the legislature has voted on a bipartisan, comprehensive campaign finance reform bill.

Among other things, the bill lifts spending limits to a more reasonable level, thereby creating the opportunity to make public financing more relevant in competitive races, reduces the percentage of money that political candidates can receive from Political Action Committees (PACs), and bans PAC-to-PAC and conduit-to-PAC transfers.

Adding amendments to either bill could lead to an unraveling of the compromises developed at the committee level. Honor the excellent, bipartisan work done by the committee by supporting both AB 700 and AB 701, without amendments, during floor debate today.

Terry Craney, President Michael A. Butera, Executive Director



WISCONSIN REALTORS ASSOCIATION



TO:

All Assembly Representatives

FROM:

Joe Murray

Director of Political Affairs

RE:

AB 701 - PAC to PAC Transfers

DATE:

February 9, 2000

[Insert background information on the relationship between the WRA and local association PACs.]

STATUTORY LIMITATION

When a political committee files a registration statement, it must choose a particular type of committee designation. § 11.05(3)(c), Stats. Generally, there are five alternatives: personal campaign committee, political party committee, legislative campaign committee, support committee, or special interest committee. *Id.* A political action committee or "PAC" is considered a special interest committee.

In Section 56 of Assembly Bill 701, a new statutory provision is created that imposes a \$100 limit on transfers between special interest committees:

No committee identified under s. 11.05(3)(c) as a special interest committee may make any contribution or contributions in an amount or value exceeding \$100 cumulatively within a calendar year to any other committee identified under s. 11.05(3)(c) as a special interest committee.

§ 11.26(8m), Stats. (proposed). If this provision is enacted, the maximum amount one PAC could transfer to another PAC is \$100. Under current law, there are no contribution limits on PAC to PAC transfers.

PROPOSAL

Any restriction on PAC to PAC transfers would adversely affect the relationship the WRA has with local PACs established by Realtors. If this proposed contribution limit is enacted, the WRA's state PAC will be extremely limited in the assistance that it may provide to its local affiliates. The WRA does not believe that it was the legislation's intent to reduce political

participation by local groups. To remedy this oversight, without modifying the provision's actual and laudable intent, the WRA proposes that the bill be amended to include an exception for transfers between affiliated PACs.

The WRA's amendment would maintain the proposed \$100 limit on PAC to PAC transfers but allow for unlimited transfers between affiliated PACs. To do so, the amendment would create an exception to the proposed \$100 limit by establishing and recognizing "affiliated special interest committees." An affiliated special interest committee would be required to file a "statement of association" and disclose the relationship it has with its affiliated committees. To prevent any abuse of the exception, the Elections Board would be authorized to deny a request for affiliated status that the Board determines is not supported by an adequate relationship between the committees.

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Section 1. 11.01(1a) is created to read:

(1a) "Affiliated special interest committee" means a special interest committee that has made a statement of association on the committee's statement of registration as authorized under s. 11.05(3)(r)

Section 2. 11.05(3)(c) is amended to read:

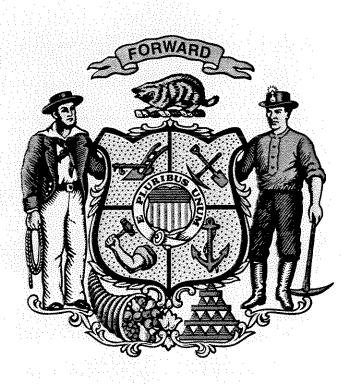
(c) In the case of a committee, a statement as to whether the committee is a personal campaign committee, a political party committee, a legislative campaign committee, a support committee, or a special interest committee.

Section 3. 11.05(3)(r) is created to read:

(r) In the case of an affiliated special interest committee, a statement of association signed by the committee treasurer declaring that the committee is affiliated with one or more special interest committees. The statement of association shall include a list of all affiliated special interest committees and a description of the relationship between the committees. To be designated as an affiliated special interest committee, there must be a relationship in the form of shared members or interests between the committee and the affiliated special interest committees listed in its statement of association. In processing the registration statement, the board may determine that there is not an adequate relationship between the committees and reject the statement of association. If a statement of association is rejected, the committee shall be considered a special interest committee.

Section 4. 11.26(8m)(c) is created to read:

(c) Notwithstanding the limitations in par. (a), an affiliated special interest committee may make unlimited transfers to the affiliated special interest committees listed in the committee's statement of association authorized under s. 11.05(3)(r).



Richard, Rob

From: Kestell, Steve

Sent: Saturday, February 12, 2000 1:45 PM

To: Jensen, Scott; Freese, Steve; Foti, Steve

Subject: FW: Sham reform passes

I thought I would share this email that has been sent out state wide. It is a clear illustration of how our efforts are rewarded by our friend Gail Shea. It would appear that those of us who supported AB701 are now the "bad guys".

Steve Kestell

----Original Message----

From: Wisconsin Democracy Campaign [mailto:wisdc@wisdc.org]

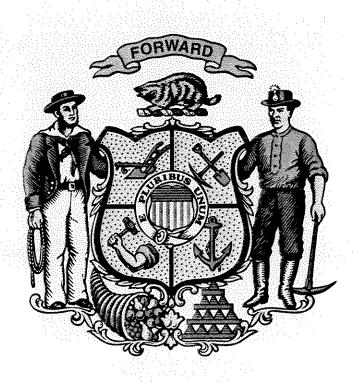
Sent: Thursday, February 10, 2000 1:22 PM To: WI DEMOCRACY CAMPAIGN

Subject: Sham reform passes

Last night, the Wisconsin Assembly voted 52-45 in support of a campaign finance reform bill that sets new spending limits and establishes new grant levels for candidates who agree to limit their spending. But the bill (AB701) does not provide a funding source for the public financing, meaning candidates would not receive the grants the legislation promises. Without funded grants, candidates would have no incentive to abide by limits on their campaign spending.

The bill also doubles the amount of money candidates could get from special interest political action committees (PACs) and does nothing to address the growing problem of independent spending campaigns run by outside groups. To see how your representative voted on AB 701, see the attached list.

Wisconsin Democracy Campaign 16 N. Carroll, Ste. 420 Madison, WI 53703 608/255-4260 www.wisdc.org



Description	Old Kettl	New Kettl
Public Financing Provide \$750,000 GPR to fund public financing grants	No	Yes
Candidate Contributions	Yes	V
Candidate to candidate, candidate to party contributions	108	Yes
prohibited, excepting cost of events up to \$100 per event		#
promotion, excepting cost of events up to \$100 per event		NA AAAAA
Contribution Limits	Yes	Yes
 35% individual contributors 		****
• 65% other sources		
 If public finance grant is taken (25% of spending limit), 		
only 40% from other sources		
Public Grant Levels	Yes	Yes
 Increases public financing grants to 25% of spending limit 		All and a second se
Electronic Reporting	Yes	Yes
• In the thirty-day period prior to the general election, report		
within twenty-four hours all contributions over \$100 and	,	
expenses over \$20.		and the state of t
Fixed limits on PAC contributions	Yes	Yes
• Governor \$45,000		4-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1
• Senate \$2,000		***************************************
• Assembly \$ 1,000		
Campaign Surplus regulation	Yes	Yes
Campaign surpluses count against contribution limits for		
the next campaign		
Public grants must be repaid first		
 Surpluses for one office shall not be used to run for a different office 		
PAC to PAC transfers	V -	
Allow only one \$100 PAC to PAC transfer per year.	Yes	Yes
Conduit regulation	Yes	Yes
Disclosure only after money is released.	163	168
Super PACs	No	Yes
Change the burden of proof to require Super PACs to show	1.0	103
money is not from illegal sources.		-
Require Super PACs to report the activity for the year in		T-C-C-C-C-C-C-C-C-C-C-C-C-C-C-C-C-C-C-C
which the election is held and the prior year before being		
allowed to spend money in Wisconsin.		
Issue Advocacy	No	Yes
Require complete disclosure of issue advocacy		The state of the s
organizations. Including name and address of person		
registering, name of candidates to be identified, and name		
of persons who contributed for the year of the election is		
held and the year prior.		
Federal Activity	No	Yes
Require state party federal activity to be registered in		A. A. C.
Wisconsin.		
Complaints	No	Yes
Allow the Executive Director of the Elections Board or		
designee to investigate complaints and file binding		
opinions. Allow for an appeal to full Elections Board.		